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FAX

To: Examiner Jimmy T. Vu
Art Unit 2821
USPTO

From: Michael J. Mehrman, Esq.

Fax: 1 571 273 8300

Pages: 3, including cover

Phone:

Date: October 18, 2005

Re: **WIPER-TYPE PHASE SHIFTER WITH CANTILEVER SHOE AND DUAL-POLARIZATION ANTENNA WITH COMMONLY DRIVEN PHASE SHIFTERS**
Serial No.: 10/652,657
Our Ref. No.: BE07.1-070

Urgent For Review Please Comment Please Reply Please Recycle

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COMMENTS:

Please enter the enclosed into the record.

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Our Docket No. 8E07.1-070

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Patents

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Darin M. Janoschka)
Serial No.: 10/652,657) Art Unit: 2821
Filed: August 28, 2003) Examiner: Jimmy T. Vu
For: Wiper-Type Phase Shifter With)
Cantilever Shoe and Dual-)
Polarization Antenna With)
Commonly Driven Phase Shifters)

RESPONSE TO FIRST OFFICIAL ACTION

Commissioner for Patents
Mail Stop Non-Fee Amendment
P.O. Box 1450
Alexandria, VA 22313-1450

October 18, 2005

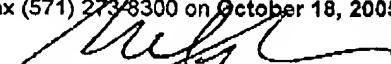
Sir:

AMENDMENT

In response to the First Official Action mailed September 20, 2005, all of the rejections are based on Runyon, U.S. Patent No. 6,788,165, which does not show or describe a "cantilevered shoe" within the ordinary meaning of that term, which would be understood to mean supported on one end in an overhanging configuration. Rather the phase shifter shoe in Runyon is supported on three feet surrounding a central pivot. In addition, this reference is not available as prior art under 35 U.S.C. § 103 (c) because both inventors were under an obligation to assign, and have in fact assigned, their respective inventions to the same entity.

REMARKS

I hereby certify that this correspondence is being filed with the United States Patent and Trademark Office, Patents by facsimile directed to Examiner Jimmy T. Vu in Art Unit 2821 at Central Fax (571) 273-8300 on October 18, 2005.


Michael J. Mehrman Reg. No. 40,086